



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

March 9, 2009

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#23 MARCH 24, 2009

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EXECUTIVE OFFICER

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Agenda No. 13
10/28/08

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: PROJECT NUMBER R2006-00147-(5)
CONDITIONAL USE PERMIT NUMBER 2006-00013-(5)
OAK TREE PERMIT NUMBER 2006-00005-(5)
PARKING PERMIT NUMBER 2006-00001-(5)**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced project for a conditional use permit, parking permit, and oak tree permit to allow the expansion of an animal hospital in the Lake Avenue area of the Altadena Community Standards District. At the completion of the hearing, you indicated an intent to approve the project and instructed us to prepare findings and conditions for approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By

Elaine M. Lemke
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

Raymond G. Fortner, Jr.
RAYMOND G. FORTNER, JR.
County Counsel

EML:vn
Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT CASE NUMBER 2006-00013-(5)
OAK TREE PERMIT CASE NUMBER 2006-00005-(5)
PARKING PERMIT CASE NUMBER 2006-00001-(5)**

1. The applicant, Altadena Animal Hospital, requests the following entitlements: a zone change from C-2 (Neighborhood Business) to CM-DP (Commercial Manufacturing-Development Program) to allow a small animal hospital with facilities for boarding and pet daycare; the conditional use permit required by the revised zone designation; an oak tree permit to authorize the removal of one tree and encroachment into the protected zone of four oak trees; and a parking permit to authorize less than the parking required by the Los Angeles County Code ("County Code") standards.
2. The subject property is located at 2055-2071 North Lake Avenue in the Altadena Zoned District.
3. The Los Angeles County Board of Supervisors ("Board") conducted a duly-noticed public hearing on October 28, 2008, on Conditional Use Permit ("CUP") Number 2006-00013-(5); Zone Change ("Zone Change") Number 2006-00001-(5); Oak Tree Permit ("Oak Tree Permit") Number 2006-00005-(5), and Parking Permit ("Parking Permit") 2006-00001-(5).
4. Previously, the Los Angeles County Regional Planning Commission ("Planning Commission") conducted its duly-noticed public hearing on these applications on February 20, 2008 and March 26, 2008. The Planning Commission approved the CUP, the Oak Tree Permit, and the Parking Permit, and recommended that the Board approve the Zone Change and adopt the Zone Change Ordinance.
5. The project consists of demolishing two existing buildings, expanding the existing single-story 2,410 square-foot small animal hospital to a two-story 10,750 square-foot facility that includes boarding and pet daycare services and creation of a 35-space parking lot. Two oak trees would be planted to mitigate the removal of an existing oak tree. The protected zones of four other oak trees will be encroached upon.
6. A monument sign is proposed for the southeast corner of the project site. Access to the property is provided by North Lake Avenue. Lake Avenue is a County secondary highway that is adequate to accommodate any minor traffic increase that may result from the project.
7. The Altadena Community Plan land use designation for the project site is Low Density Residential, which contemplates common suburban tract residential development densities. The purpose of this category is to maintain existing single-family neighborhoods. The proposed development supports the Altadena Community Plan Goal 4.2.3, which states: "Establish an economically viable

commercial environment for the Altadena community which meets the needs of the residents and is compatible with the community character." Expansion of the animal hospital will provide necessary medical treatment, boarding, and day care services for the pets of the growing community.

8. The applicant requested a zone change from C-2 to C-M-DP, which allows the small animal hospital use subject to approval of a CUP.
9. Pursuant to section 22.52.050 of Title 22 of the County Code, the maximum allowable height of structures is 13 times the buildable area. The proposed development is two stories high, approximately 30 feet tall and complies with this section.
10. Following are development standards for the C-M zone, which are set forth in section 22.28.270 of the County Code, and findings regarding how the project complies with the standards:
 - a. *Maximum allowable lot coverage is 90 percent.* Lot coverage of the proposed project is 28 percent;
 - b. *Ten percent of the project site must be landscaped.* The applicant's proposal would landscape 18 percent of the project site;
 - c. *One parking space is required per 250 square feet of building area.* Forty-three parking spaces are required for the 10,750 square-foot facility. Approval of the Parking Permit will allow a reduction to 35 spaces;
 - d. *Outside displays are restricted in the C-M zone.* No outside displays are proposed for the development;
 - e. *Outside storage is permitted on the rear of a lot or parcel when such storage is strictly incidental to the permitted use in a building on the front portion of the same lot or parcel of land. Outside storage must be set back 50 feet from the front property line.* The only outside storage, a trash enclosure, is to be located on the back of the lot of the proposed site, 83 feet from the front property line; and
 - f. *Outside storage must be completely enclosed by a solid masonry wall and solid gate, not less than five feet nor more than six feet in height, except that the director may approve the substitution of a fence or decorative wall where, in his opinion, such wall or fence will adequately comply with the provisions of this section. Outside storage must not be higher than the surrounding enclosure.* Condition 20 of the CUP, Parking Permit, and Oak Tree Permit will ensure compliance with this standard.
11. The project site is located in the Lake Avenue area of the Altadena Community Standards District ("CSD"). Applicable CSD development standards and the project's compliance therewith are as follows:

- a. *The maximum height of a structure allowed in the Lake Avenue area is 35 feet.* The height of the proposed structure is 30 feet;
 - b. *The CSD restricts signage.* Condition 21 of the CUP, Parking Permit, and Oak Tree Permit will ensure compliance with this standard; and
 - c. *The CSD regulates project design.* Condition 22 of the CUP, Parking Permit, and Oak Tree Permit will ensure compliance with this standard.
12. The current use for the project site is an animal hospital and hair salon. The commercial use will continue, but with the removal of the hair salon and the expansion of the animal hospital. The project site is surrounded by the following land uses: an auto repair shop, a medical office, an office, single-family residences, and multi-family residences. There is no history of zoning violations on the property. The Board finds that the expansion of the animal hospital facility will be compatible with the neighborhood.
13. The County Code requires one parking space per 250 square feet of building area. Forty-three parking spaces would normally be required for the proposed 10,750 square-foot facility. Approval of the Parking Permit will allow a reduction to 35 spaces. The proposed use of a small animal hospital with boarding kennels will have fewer people in the building than typical commercial establishments of the same size, thereby resulting in fewer vehicle trips by employees. The parking to be provided is adequate and will not force use of street parking.
14. The Oak Tree Permit application requests authorization for the removal of one tree and encroachment into the protected zones of four other trees. The four trees to be encroached upon will be surrounded by planters to protect them from erosion and siltation. The tree to be removed is growing out from the foundation area of an existing building that is to be demolished. The Los Angeles County Forester ("Forester") reviewed the submitted Oak Tree Report and recommended approval of the permit subject to conditions identified in his letter dated June 8, 2006, which will be part of the Oak Tree Permit requirements. The Department of Regional Planning ("Department") concurred with the Forester's recommendation. The permittee will be required to plant two replacement oak trees and comply with all other requirements of the aforementioned June 8, 2006, letter. The proposed development and use of the subject property will be accomplished without endangering the health of the oak trees to remain through compliance with the CUP, the Parking Permit, and the Oak Tree Permit conditions.
15. Maintaining the existing oak tree proposed for removal would preclude the reasonable and efficient use of the subject property for a use otherwise authorized.

16. The animal hospital has existed at the site for nearly 40 years, providing a service to the local community. The proposed expansion will allow additional services to address increased demand. Removal of some existing structures and expansion of the existing hospital building will improve property values and the aesthetic appeal of the area.
17. The site is adequate in size and shape to accommodate necessary walls, and the proposed landscaping meets County Code requirements.
18. The development program provides necessary safeguards to insure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area.
19. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearings by mail, newspaper, and property posting.
20. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, it is necessary to limit the term of the grant to 30 years with one 10-year extension allowed pursuant to a Director's Review.
21. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, a Negative Declaration has been prepared for this project. The Board adopted the Negative Declaration at the conclusion of its public hearing on the project.
22. The project has not been found to have "no effect" on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
23. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

With respect to the Conditional Use Permit:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;
- B. That with the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as required.

With respect to the Oak Tree Permit:

- A. That construction of the proposed use will be accomplished without endangering the health of the remaining oak trees on the subject property;
- B. That the proposed removal of one oak tree and encroachment into the protected zones of four others will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- C. That the proposed removal of the one oak tree is necessary because continued existence at its present location frustrates the planned improvement or proposed use of the subject property to such an extent that placement of such tree precludes the reasonable and efficient use of such property for a use otherwise authorized; and
- D. That the proposed removal and encroachment into the protected zones of the oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

With respect to the Parking Permit:

- A. That there will be no need for the number of parking spaces ordinarily required by Part 11 of Chapter 22.53 because the nature of the use is such that there is a reduced occupancy and, therefore, a reduced parking need;
- B. That the approval of the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking, or unauthorized use of parking facilities developed to serve surrounding property; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Certifies that the Negative Declaration prepared for the project was completed in compliance with CEQA and the State and County guidelines related thereto and reflects the independent judgment of the Board;
- 2. Certifies that it reviewed and considered the information contained in the Negative Declaration and adopted it at the conclusion of its October 28, 2008, hearing on the project;
- 3. Concludes that the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for the CUP as set forth in section 22.56.060 of the County Code; for the Oak Tree Permit as set forth in section 22.56.2100 of the County Code; and for the Parking Permit as set forth in section 22.56.1020 of the County Code; and
- 4. Approves Conditional Use Permit No. 2006-00013-(5), Oak Tree Permit No. 2006-00005-(5), and Parking Permit No. 2006-00001-(5) subject to the attached conditions.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT CASE NUMBER 2006-00013-(5)
OAK TREE PERMIT CASE NUMBER 2006-00005-(5)
PARKING PERMIT CASE NUMBER 2006-00001-(5)

1. This grant authorizes the demolition of two existing structures (shed and hair salon), the removal of one oak tree, encroachment into the protected zones of four oak trees, and the expansion and operation of a small animal hospital with facilities for boarding and pet daycare, subject to the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee and the owner of the subject property, if other than the permittee, have filed at the office of the Department of Regional Planning ("Planning Department") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8 and until all required monies have been paid pursuant to Condition No. 10 and Condition No. 19.
4. The permittee shall defend, indemnify, and hold harmless the County of Los Angeles ("County"), its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009, or any other applicable limitation period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay the Planning Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the Planning Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit.

There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with section 2.170.010 of the Los Angeles County Code ("County Code").

- 6. This grant will expire unless used within two years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six months prior to the expiration date.
- 7. If any provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
- 8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
- 9. The initial term of this grant shall terminate on March 17, 2039. The permit may be extended for one additional term of 10 years upon proper application for, and approval of such extension following a Director's Review. Entitlement to use of the property thereafter shall be subject to the regulations then in effect. At least six months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Planning Department. The application shall be a request for continuance of the use permitted under this grant, whether or not including modifications to the use at that time.
- 10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County the sum of \$2,250. The deposit shall be placed in a performance fund which shall be used exclusively to compensate the Planning Department for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for fifteen (15) biennial (once every two years) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any of the conditions of this grant, the permittee shall be financially

responsible for and shall reimburse the Planning Department for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150 per inspection, or such different recovery cost in effect at the time of the additional inspection.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Los Angeles County Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health, safety, or so as to be a nuisance.
12. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said department.
13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
14. All structures shall conform with the requirements of the Division of Building and Safety of the County Department of Public Works ("Public Works").
15. The permittee shall comply with requirements of the County Department of Public Health and the National Pollutant Discharge Elimination System ("NPDES") requirements of the California Los Angeles Regional Water Quality Control Board and of Public Works. Adequate water and sewage facilities shall be provided as may be required by said agencies.
16. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
17. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

18. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A." In the event subsequent revised plans are submitted, the permittee shall submit three copies of the prepared plans to the Planning Director ("Director") for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
19. Within five days of the permit approval, the permittee shall remit a processing fee of \$2,068 payable to the County in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the California Public Resources Code and section 711.4 of the California Fish and Game Code. No project subject to this requirement is final, vested, or operative until the fee is paid.
20. Outside storage shall be completely enclosed by a solid masonry wall and solid gate, not less than five feet nor more than six feet in height.
21. All signs shall be reviewed by the Planning Department. Signs may be included on Exhibit "A" or separate sheet. Submittal and approval of a sign program may be established pursuant to the Revised Exhibit "A" process.
22. Proposed improvements, renovations, and changes shall comply with the following design standards, as applicable:
 - a. Light earth tones and muted pastel colors are required as the primary or base building color while contrasting, more colorful paints may be used as trim colors for cornices, graphics, and window and door frames;
 - b. Awnings shall be compatible with the color and style of the building;
 - c. Individual air-conditioning units shall be screened or enclosed so as not to interfere with architectural details and the overall design of the building;
 - d. Storefront air-conditioning units shall be neutral in appearance and not project outward from the facade;
 - e. Mechanical equipment located on roofs shall be screened by parapet walls or architectural features so that the equipment will not be visible from normal public view at a maximum of 300 feet away;
 - f. Chain-link, barbed, and concertina wire fences are prohibited; tubular steel or wrought iron fences are preferred;
 - g. All security bars or grilles shall be installed on the inside of the building;
 - h. Vertically or horizontally-folding accordion grilles installed in front of a storefront are prohibited; and

- i. Building security grilles shall be side-storing, concealed interior grilles which are not visible from the exterior of the building when not in use (during business hours) or grilles which can be concealed in the architectural elements of the building.
- 23. The permittee shall dedicate the right to restrict vehicular access on Lake Avenue along the property frontage to the satisfaction of Public Works.
 - 24. The permittee shall reconstruct any parkway improvements such as sidewalks, driveways, curb ramps, landings, etc., that either serve or form a part of a pedestrian-access route that do not conform with the Americans with Disabilities Act ("ADA") to meet current ADA requirements to the satisfaction of Public Works.
 - 25. The permittee shall construct curbs, gutters, and sidewalks on Alameda Street to the satisfaction of Public Works.
 - 26. The permittee shall repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement on Lake Avenue and Alameda Street to the satisfaction of Public Works.
 - 27. Undergrounding of all new utility lines to the satisfaction of Public Works is required.
 - 28. The permittee shall plant street trees on Lake Avenue and Alameda Street to the satisfaction of Public Works.
 - 29. The permittee shall comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring on Lake Avenue and Alameda Street along the property frontage. The street lighting plans must be approved by the Street Lighting Section of Public Works;
 - b. Upon approval of this grant, the permittee shall enter into a secured agreement with the County for the installation of the street lights in the amount of \$18,000. The permittee shall comply with the conditions of acceptance listed below for the Lighting District to pay for future operation and maintenance of street lights. The street lights shall be installed per approved plans prior to issuance of a Certificate of Occupancy; and
 - c. All street lights in the project must be constructed according to Public Works approved plans. The contractor shall submit one complete set of as-built plans. Provided the above conditions are met, the street lights in the project or approved project phase have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year.

The transfer of billing could be delayed one or more years if the above conditions are not met.

30. Prior to issuance of a grading permit, the permittee shall obtain street improvement plan approval or direct check status from Public Works.
31. Prior to issuance of a building permit, the permittee shall execute an Agreement to Improve with Public Works for the required street improvements.
32. Prior to issuance of a building permit, the permittee shall complete all drainage analysis, including the Standard Urban Stormwater Mitigation Plan, to the satisfaction of Public Works.
33. The permittee shall adhere to all conditions identified in the County Forester letter dated June 8, 2006, attached hereto, which among other items, identifies required mitigation for the removal of the oak tree and encroachment into the protected zones of four other oak trees.
34. Except as otherwise identified in a progress schedule submitted by the permittee, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made:
 - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the program shall be built, erected, or moved onto any part of the property;
 - b. No existing building or structure which under the program is to be demolished shall be used;
 - c. No existing building or structure which, under the program is to be altered, shall be used until such building or structure has been so altered;
 - d. All improvements shall be completed prior to the occupancy of any structures; and
 - e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
35. A minimum of 35 parking spaces must be maintained at all times at the subject property.
36. Parking may not be reconfigured without an approved Revised Exhibit "A."

Attachment:

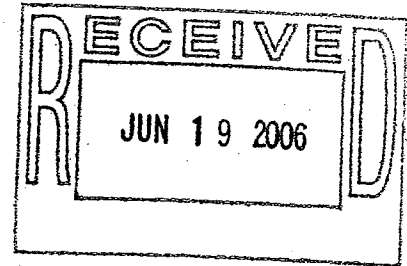
Los Angeles County Forester Letter Dated June 8, 2006



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330



P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN
June 8, 2006

Maria B. Masis, Principal Planner Assistant
Department of Regional Planning
Zoning Permits I
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Masis:

**OAK TREE PERMIT T2006-00005, PROJECT R2006-00147-5, 2071 N. LAKE AVENUE,
ALTADENA.**

We have reviewed the "Request for Oak Tree Permit T2006-00005." The project is located at 2071 N. Lake Avenue in the unincorporated area of Altadena. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Trees, etc., the consulting arborist, January 10, 2006.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$500. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection of temporary fencing (required to secure the protected zone of all remaining Oak trees), prior to the commencement of construction and four (4) subsequent inspections until the conditions of approval have been met.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLEN DORA	IRVINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
		LA HABRA					WHITTIER

The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater. Specifically, Tree Numbers 1, 3, 4, and 5 shall be fenced.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review.

All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of one (1) tree of the Oak genus (*Quercus agrifolia*) identified as Tree Number #2 on the applicant's site plan and Oak Tree Report.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two (2) inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.
9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for each tree removed for a total of two (2) trees.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Replacement trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.

Maria B. Masis, Principal Planner Assistant

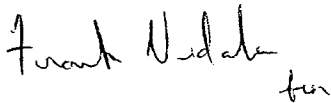
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20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

A handwritten signature in dark ink, appearing to read "David R. Leininger". The signature is written in a cursive style with a small "for" written below it.

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

DRL:sc

Enclosure